

AMENDED IN SENATE MARCH 22, 2000

AMENDED IN SENATE MARCH 1, 2000

SENATE BILL

No. 1458

Introduced by Senator Lewis

February 9, 2000

An act to add Section 87406.2 to the Government Code, relating to postgovernment employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1458, as amended, Lewis. Postgovernment employment: restrictions.

(1) Existing provisions of the Political Reform Act of 1974, (the act), an initiative measure, prohibit a designated employee of a state administrative agency, among others, from representing any other person before the state administrative agency, as specified.

This bill would amend the act to apply the above prohibitions to the office of ~~Inspector General~~ *inspector general, appointed as specified*, so as to prohibit appearances before the ~~Department of Corrections and related agencies, as specified~~, *department that was within the jurisdiction of the former inspector general* for ~~3~~ 2 years after leaving office. Because a violation of the act is a misdemeanor, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) The act provides that the Legislature may amend the act to further the act's purposes by a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirement.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 87406.2 is added to the
2 Government Code, to read:
3 87406.2. (a) (1) No former ~~Inspector—General~~
4 *inspector general*, appointed pursuant to Section 6125 of
5 the Penal Code *or Section 73.5 of the Military and*
6 *Veterans Code, and no former inspector general of a state*
7 *agency appointed pursuant to any other statute*, shall, for
8 a period of ~~three~~ two years after leaving that office, for
9 compensation, act as agent or attorney for, or otherwise
10 represent, any person, by making any formal or informal
11 appearance before, or by making any oral or written
12 communication to, the department *that was within the*
13 *jurisdiction of the former inspector general*, or any officer
14 or employee thereof, if the appearance or
15 communication is made for the purpose of influencing
16 administrative action, or influencing any action or
17 proceeding involving the issuance, amendment,
18 awarding, or revocation of a permit, license, grant, or
19 contract, or the sale or purchase of goods or property.
20 (2) No former ~~Inspector—General~~ *inspector general*,
21 appointed pursuant to Section 6125 of the Penal Code *or*
22 *Section 73.5 of the Military and Veterans Code, and no*
23 *former inspector general of a state agency appointed*
24 *pursuant to any other statute*, shall, for a period of ~~three~~
25 *two* years, for compensation, accept employment from
26 the department *that was within the jurisdiction of the*
27 *former inspector general* or any person who contracts
28 with ~~the~~ *that* department.

(b) For purposes of this section, an appearance before the department *that was within the jurisdiction of the former inspector general* includes an appearance in a court of law, before an administrative law judge, ~~or~~ before the Workers Compensation Appeals Board, *or before any local, state, or federal body in a nonjudicial proceeding* if it is for any purpose described in subdivision (a).

(c) As used in this section ~~“department”~~ *“department,” for the purposes of a former inspector general appointed pursuant to Section 6125 of the Penal Code*, includes, in addition to the Department of Corrections, the Department of the Youth Authority, the Board of Prison Terms, the Youthful Offender Parole Board, the Board of Corrections, the Narcotic Addict Evaluation Authority, the Prison Industry Authority, and the Youth and Adult Correctional Agency.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 3. The Legislature finds and declares that the provisions of this act further the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.